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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

_____)	
COSTAR GROUP, INC.,)	
)	
Plaintiff,)	Civil Action No. 08-CV 1156
)	
v.)	
)	
LOOPNET, INC.,)	NOTICE OF MOTION FOR A
)	PRELIMINARY INJUNCTION
)	
Defendant.)	
_____)	

Plaintiff CoStar Group, Inc. (“CoStar”) hereby moves this Court, pursuant to Rule 65 of the Federal Rules of Civil Procedure and 15 U.S.C. § 26, for an Order:

(1) Preliminary enjoining defendant LoopNet, Inc. (“LoopNet”), its officers, agents, servants, employees, attorneys, and all others in active concert or participation with them during the pendency of this action from disseminating anywhere in the United States the

advertisements attached as Exhibits 3 through 6 to the accompanying Declaration of Andrew C. Florance (“Florance Decl.”), or any advertisement substantially similar thereto; and

(2) Preliminary enjoining LoopNet, its officers, agents, servants, employees, attorneys, and all others in active concert or participation with them during the pendency of this action from claiming during the pendency of this action, whether directly or by implication, in any advertisement or promotional communication anywhere in the United States, that:

- (a) CoStar has “no marketing audience,” or similar false or misleading claims that disparage the size of CoStar’s marketing audience or exaggerate the difference between LoopNet’s audience and that of CoStar;
- (b) LoopNet has 2.75 million, or a similarly inflated number, of “registered members” who actively or currently use its website;
- (c) Property listings on LoopNet are “seen by,” “viewable to,” or provide “visibility to” 2.75 million, or a similarly inflated number, of LoopNet “registered members”;
- (d) LoopNet has “More Members,” or enjoys “More Traffic,” than CoStar, where such claim is based upon LoopNet’s historical or cumulative total of “registered members” without regard to the proportion of such “members” who currently use LoopNet’s website;
- (e) LoopNet has 950,000 unique visitors to its website each month;
- (f) Property listings on LoopNet are “seen by,” “viewable to,” or provide “visibility to” 950,000 unique visitors to LoopNet’s website each month;
- (g) All, or substantially all, unique visitors to LoopNet’s website actually perform searches or view property listings;
- (h) The total unique visitors to LoopNet’s website, as reported by comScore and claimed in LoopNet’s advertisements, does not include visitors who reach LoopNet’s website through referrals generated by LoopNet’s partnerships with online newspapers;
- (i) LoopNet’s partnerships with online newspapers generate 18 million, or a similarly inflated number, of additional visitors to LoopNet’s website each month;

- (j) All, or a substantial percentage, of the 18 million monthly visitors to the websites of LoopNet's newspaper partners view commercial real estate listings furnished to those websites by LoopNet;
- (k) LoopNet offers the largest database of commercial real estate listings; and
- (l) LoopNet offers a larger database of commercial real estate listings than CoStar.

The grounds for this motion are set forth in the Declaration of Andrew C.

Florance filed herewith, the exhibits thereto, and the accompanying Memorandum in Support of Plaintiff's Motion for a Preliminary Injunction.

CoStar respectfully requests an evidentiary hearing on this motion.

Dated: June 20, 2008

Respectfully submitted,

/s/ Steven A. Zalesin

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